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Practitioner's Docket No. ITT-518-A (AC100)

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: James P. Miarka and Gary O. Klinger
Serial Number: 10/705,539
Filing Date: November 10, 2003
Examiner/Group Art Unit: Korie H. Chan/3677
Title: MULTI-MATERIAL ISOLATOR BUNDLE CLIP
5

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)**

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

PURPOSE OF DECLARATION

1. This declaration is to establish completion of the invention of this application in the United States at a date prior to May 29, 2003, that is the effective date of the prior art, U. S. patent U. S. 6,926,237, that was cited by the Examiner.

2. The persons making this declaration are the inventors.

FACTS AND DOCUMENTARY EVIDENCE

3. To establish the date of completion of the invention of this application, the following attached documents and/or models are submitted as evidence:

☒ photographs.

4. From these documents and/or models, it can be seen that the invention in this application was made at least by the date of May 29, 2003, which is a date earlier than the effective date of the reference.

DILIGENCE

5. Attached is a statement establishing the diligence of the applicants, from the time of their conception, to a time just prior to the date of the reference, up to the U. S. patent application filing date.

TIME OF PRESENTATION OF THE DECLARATION

(a) ☒ This declaration is submitted prior to final rejection.

(Declaration of Prior Invention in the United States or in a NAFTA or WTO Member Country to Overcome Cited Patent or Publication - 37 C.F.R. Section 1.31 [9-32] - page 1 of 2)

BEST AVAILABLE COPY

DECLARATION

6. As a person signing below:

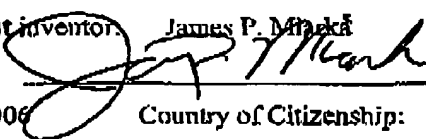
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES

7.

A. Inventors

Full name of sole or first inventor: James P. Mlacka

Inventor's signature 

Date: February 21, 2006 Country of Citizenship: U.S.A.

Residence: 41155 Beechwood, Clinton Township, Michigan 48038

Post Office Address: Same

Full name of second inventor: Gary O. Klinger

Inventor's signature 

Date: February 21, 2006 Country of Citizenship: U.S.A.

Residence: 965 Norcross Drive, Rochester Hills, Michigan 48307

Post Office Address: Same

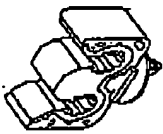
Respectfully submitted,

YOUNG, BASILE, HANLON,
MacFARLANE,
WOOD & HELMHOLDT, P.C.

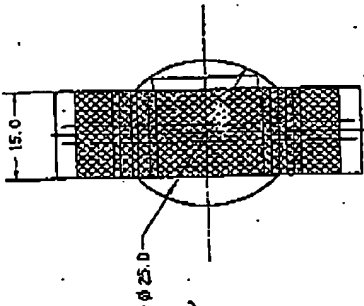
By: 

William M. Hanlon, Jr.
Attorney for Applicant
Registration No. 28,422
(248) 649-3333

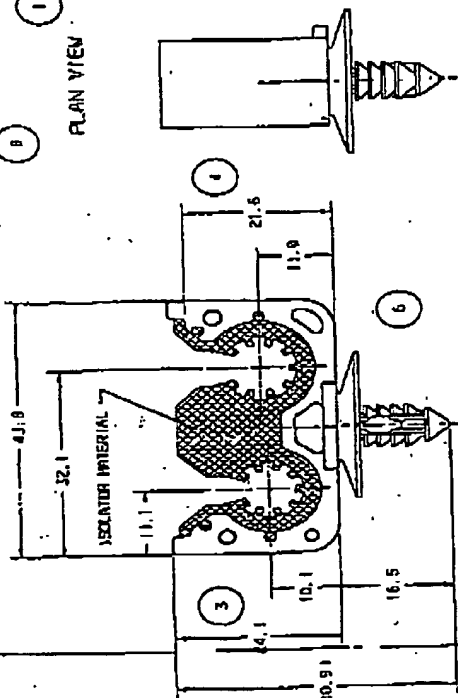
3001 West Big Beaver Rd., Suite 624
Troy, Michigan 48064-3107
Dated: February 20, 2006
WMH/jkl

[illegible]

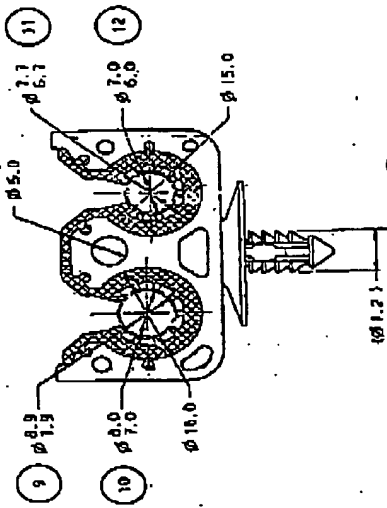
ISOMETRIC VIEW
(ACTUAL SIZE)



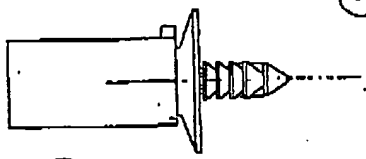
PLAN VIEW



MAIA 3015



DEAD VIEW



REPORT VIEW

- [illegible]

50132703
CN 603--
Cite

ORIGINAL WHEN RED

METRIC
DO NOT -
SCALE

Unless stamped in RED as a
'CONTROLLED DOCUMENT', THIS
IS AN UNCONTROLLED DOCUMENT
per 05-9000.

[illegible][illegible]

| FEEDBACKS | UNLESS OTHERWISE SPECIFIED |
|-----------|---------------------------------|
| 1/2-0.5 | ALLOWED ON ONE PLACE DECIMALS |
| 1/2-0.25 | ALLOWED ON TWO PLACE DECIMALS |
| 1/2- | ALLOWED ON THREE PLACE DECIMALS |
| 1/2-5 | ALLOWED ON ALL ANGLES |

ITT Industries
3400 WARD STREET CO.
PUEBLO 61115, MIDWEST 41316
BRAIN IN G. BRANN
INTEGRATE

JOHN W. J. NIERKA
PHOTO BY A. B. 446110

TWO TUBE CLIP W/ SANTOPHENE

254771

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**STATEMENT SUPPORTING
DECLARATION UNDER 37 C.F.R. 1.131**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

We, the undersigned, do hereby depose and say:

1. That before May 29, 2003, I conceived in the United States a Multi-Material Isolator Bundle Clip described in my patent application, U. S. Application S.N. 10/705,539, filed November 10, 2003.
2. That from a time before May 28, 2003, I exercised due diligence until November 10, 2003.
3. That the copy of the product drawing here attached is a genuine copy of original drawing illustrating the aforementioned conception of my invention prior to U. S. Patent No. 6,926,237 and diligence from a time before May 29, 2003 to my application filing date.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By: X
James P. Miarka

Date: X, 2006

By: X
Gary O. Klinger

Date: X, 2006